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Legislative History – Montana Session Law

Chapter: 194 Session L: 2023
Bill Number: HB 388

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☐
Third Reading Bill	☐
Final Version of Bill	☐

House

Committee: Agriculture

Hearing Date(s): 2/16/2023

Committee Report: 2/21/2023

Senate

Committee: Agriculture, Livestock, &
Irrigation

Hearing Date(s): 3/16/2023

Committee Report: 3/28/2023

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: SK Marshall

Date: 10/27/2025

Notes: Audio/Video recordings can be found here:

<https://sg001-harmony.sliq.net/00309/Harmony/en>

Thank you!



AN ACT INCREASING PENALTIES FOR IMPORTING LIVESTOCK WITHOUT HEALTH INSPECTION; AND
AMENDING SECTION 81-2-708, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 81-2-708, MCA, is amended to read:

"81-2-708. Penalty. (1) A~~Except as provided in subsection (2), a~~ person convicted of violating this part shall be fined not more than \$500, be imprisoned in the county jail for a term not to exceed 6 months, or both.

(2) A person convicted of violating this part by importing livestock into the state without a required health certificate, permit, or other documentation authorized by department rule shall be fined not less than \$500 per animal or \$5,000, whichever is greater."

- END -

I hereby certify that the within bill,
HB 388, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2023.

President of the Senate

Signed this _____ day
of _____, 2023.

HOUSE BILL NO. 388

INTRODUCED BY J. KASSMIER

AN ACT INCREASING PENALTIES FOR IMPORTING LIVESTOCK WITHOUT HEALTH INSPECTION; AND
AMENDING SECTION 81-2-708, MCA.

Exported Data

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
04/20/23	Chapter Number Assigned				
04/20/23	(H) Signed by Governor				
04/13/23	(H) Transmitted to Governor				
04/12/23	(S) Signed by President				
04/07/23	(H) Signed by Speaker				
04/06/23	(C) Printed - Enrolled Version Available				
04/06/23	(H) Returned from Enrolling				
04/04/23	(H) Sent to Enrolling				
04/04/23	(S) Returned to House				
04/03/23	(S) 3rd Reading Concurred		47	2	
04/03/23	(S) Scheduled for 3rd Reading				
03/31/23	(S) 2nd Reading Concurred		50	0	
03/31/23	(S) Scheduled for 2nd Reading				
03/29/23	(S) Committee Report--Bill Concurred	(S) Agriculture, Livestock and Irrigation			
03/28/23	(S) Committee Executive Action--Bill Concurred	(S) Agriculture, Livestock and Irrigation	11	0	
03/16/23	(S) Hearing	(S) Agriculture, Livestock and Irrigation			
03/14/23	(S) Referred to Committee	(S) Agriculture, Livestock and Irrigation			
02/28/23	(S) First Reading				
02/28/23	(H) Transmitted to Senate				
02/27/23	(H) 3rd Reading Passed		96	3	
02/27/23	(H) Scheduled for 3rd Reading				
02/24/23	(H) 2nd Reading Passed		96	4	
02/24/23	(H) Scheduled for 2nd Reading				
02/22/23	(H) Committee Report--Bill Passed	(H) Agriculture			
02/21/23	(H) Committee Executive Action--Bill Passed	(H) Agriculture	17	2	
02/16/23	(H) Hearing	(H) Agriculture			
02/03/23	(H) First Reading				
02/03/23	(H) Referred to Committee	(H) Agriculture			
02/02/23	(C) Introduced Bill Text Available Electronically				
02/02/23	(H) Introduced				

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
02/01/23	(C) Draft Delivered to Requester				
01/27/23	(C) Draft Ready for Delivery				
01/27/23	(C) Executive Director Final Review				
01/27/23	(C) Draft Ready for Delivery				
01/27/23	(C) Draft in Assembly				
01/26/23	(C) Executive Director Review				
01/24/23	(C) Bill Draft Text Available Electronically				
01/24/23	(C) Draft in Final Drafter Review				
01/24/23	(C) Draft in Input/Proofing				
01/22/23	(C) Draft to Drafter - Edit Review				
01/18/23	(C) Draft in Edit				
01/18/23	(C) Draft in Legal Review				
01/11/23	(C) Draft Taken Off Hold				
10/24/22	(C) Draft On Hold				
08/16/22	(C) Draft Request Received				



AN ACT INCREASING PENALTIES FOR IMPORTING LIVESTOCK WITHOUT HEALTH INSPECTION; AND
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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part shall be fined not more than \$500, be imprisoned in the county jail for a term not to exceed 6 months, or
both.

(2) A person convicted of violating this part by importing livestock into the state without a required
health certificate, permit, or other documentation authorized by department rule shall be fined not less than
\$500 per animal or \$5,000, whichever is greater."

- END -

I hereby certify that the within bill,
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Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2023.

President of the Senate

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HOUSE BILL NO. 388

INTRODUCED BY J. KASSMIER

AN ACT INCREASING PENALTIES FOR IMPORTING LIVESTOCK WITHOUT HEALTH INSPECTION; AND
AMENDING SECTION 81-2-708, MCA.

1 HOUSE BILL NO. 388
2 INTRODUCED BY J. KASSMIER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING PENALTIES FOR IMPORTING LIVESTOCK
5 WITHOUT HEALTH INSPECTION; AND AMENDING SECTION 81-2-708, MCA."

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8
9 **Section 1.** Section 81-2-708, MCA, is amended to read:

10 **"81-2-708. Penalty.** ~~(1) A-Except as provided in subsection (2), a~~ person convicted of violating this
11 part shall be fined not more than \$500, be imprisoned in the county jail for a term not to exceed 6 months, or
12 both.

13 ~~(2) _____ A person convicted of violating this part by importing livestock into the state without a required~~
14 ~~health certificate, permit, or other documentation authorized by department rule shall be fined not less than~~
15 ~~\$500 per animal or \$5,000, whichever is greater."~~

16 - END -

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) AGRICULTURE

Call to Order: Chair Joshua Kassmier-R, on February 16, 2023 at 2:58 PM, in 137

ROLL CALL

Members Present: Rep. Joshua Kassmier, Chair (R)
Rep. Dave Fern, Vice Chair (D)
Rep. Marty Malone, Vice Chair (R)
Rep. Fred Anderson (R)
Rep. Brad Barker (R)
Rep. James Bergstrom (R)
Rep. Tony Brockman (R)
Rep. Julie Dooling (R)
Rep. Paul Green (R)
Rep. Greg Kmetz (R)
Rep. Casey Knudsen (R)
Rep. Braxton Mitchell (R)
Rep. Melissa Romano (D)
Rep. Frank Smith (D)
Rep. Kenneth Walsh (R)
Rep. Zack Wirth (R)

Members Excused: Rep. Bob Carter (D)
Rep. Katie Sullivan (D)
Rep. Marvin Weatherwax (D)

Staff Present: Andria Hardin, Research Analyst
Rose Harmon, Secretary
Loran Nelson, Remote Meeting Coordinator

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

HB 388 02/13/2023
HB 487 02/13/2023
HJ 7 02/13/2023

Executive Action:

HB 158 DO PASS
HB 159 DO PASS
HJ 7 DO PASS

14:59:17 Chair Kassmier turned the Chair over to Vice Chair Fern.
14:59:21 Chair Kassmier has left
15:00:24 Rep. Barker has left
15:00:26 Rep. Sullivan has arrived
15:01:17 Rep. Carter has arrived

HEARING ON HJ 7 - Resolution on Livingston roundup association 100th anniversary

Opening Statement:

15:01:56 Vice Chair Marty Malone (R), HD 59, opened the hearing on HJ 7, Resolution on Livingston roundup association 100th anniversary.

Proponent Testimony:

15:04:22 Bruce Becker, President, Livingston Round-Up Association (LRUA)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:06:25 Rep. Bob Carter
15:06:40 Bruce Becker, LRUA
15:08:45 Vice Chair Dave Fern
15:08:57 Bruce Becker, LRUA

Closing Statement:

15:09:35 Vice Chair Marty Malone (R), HD 59, closed the hearing on HJ 7.

Discussion:

15:10:51 Acting Chair Fern turned the Chair over to Vice Chair Malone

15:10:54 **Recessed**

15:15:45 Chair Kassmier has arrived

15:16:04 **Reconvened**

HEARING ON HB 388 - Increase penalty for uninspected livestock

Opening Statement:

15:16:24 Chair Joshua Kassmier (R), HD 27, opened the hearing on HB 388, Increase penalty for uninspected livestock.

Proponent Testimony:

15:17:04 Rachel Prevost, Montana Farmer's Union (MFU)

15:17:41 Mike Honeycutt, Executive Officer, Board of Livestock, Montana Department of Livestock (DOL)

15:20:07 Rachel Cone, Montana Farm Bureau Federation (MFBF)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:21:34 Rep. Casey Knudsen

15:21:48 Mike Honeycutt, DOL

15:22:46 Rep. Casey Knudsen

15:23:27 Mike Honeycutt, DOL

15:24:10 Rep. Greg Kmetz

15:24:25 Mike Honeycutt, DOL

15:25:40 Rep. Bob Carter -D

15:26:09 Mike Honeycutt, DOL
15:26:22 Rep. Bob Carter
15:26:30 Mike Honeycutt, DOL
15:27:27 Rep. Bob Carter
15:27:33 Mike Honeycutt, DOL
15:27:45 Rep. Joshua Kassmier-R
15:28:14 Rep. Casey Knudsen
15:28:35 Rep. Joshua Kassmier-R
15:29:07 Rep. Julie Dooling
15:29:44 Mike Honeycutt, DOL
15:30:23 Rep. Bob Carter
15:30:51 Rep. Joshua Kassmier-R
15:31:09 Rep. Bob Carter
15:31:23 Rep. Joshua Kassmier-R
15:31:27 Vice Chair Marty Malone
15:31:56 Mike Honeycutt, DOL

Closing Statement:

15:32:29 Chair Joshua Kassmier (R), HD 27, closed the hearing on HB 388.

HEARING ON HB 487 - Prohibit seed cleaning/conditioning without declaration

Opening Statement:

15:32:56 Chair Joshua Kassmier (R), HD 27, opened the hearing on HB 487, Prohibit seed cleaning/conditioning without declaration.

Proponent Testimony:

15:33:47 Gord Pearce, Director, Montana Seed Trade Association (MSTA)

[EXHIBIT\(230216AGHa1\)](#)

15:38:01 Mitch Ereaux, Forage Specialist, Nutrien Ag Solutions; Director, Montana Seed Trade Association (MSTA)

15:41:32 Tyler Heupel, President, Montana Seed Trade Association (MSTA)

15:44:18 Krista Lee Evans, Montana Agricultural Business Association (MABA)

Opponent Testimony:

None

Informational Witness Testimony:

15:46:08 Cort Jensen, Chief Attorney, Director's Office, Montana Department of Agriculture (MDA)

Questions from Committee:

15:46:51 Rep. Casey Knudsen

15:47:34 Cort Jensen, MDA

15:49:03 Rep. Greg Kmetz

15:50:41 Cort Jensen, MDA

15:52:18 Rep. Kenneth Walsh

15:53:12 Tyler Heupel, MSTA

15:53:53 Rep. Julie Dooling

15:54:18 Cort Jensen, MDA

15:57:10 Rep. Julie Dooling

15:57:19 Cort Jensen, MDA

15:57:49 Rep. Casey Knudsen left the meeting.

15:58:42 Rep. Greg Kmetz

15:59:22 Mitch Ereaux, MSTA

15:59:40 Rep. Greg Kmetz

16:00:00 Mitch Ereaux, MSTA

16:00:20 Rep. Greg Kmetz
16:00:39 Mitch Ereaux, MSTA
16:00:50 Rep. Kenneth Walsh
16:01:13 Mitch Ereaux, MSTA
16:01:52 Rep. Melissa Romano left the meeting.
16:02:15 Rep. Bob Carter-D
16:02:50 Rep. Joshua Kassmier-R
16:03:14 Rep. Bob Carter-D
16:03:21 Rep. Joshua Kassmier-R
16:03:39 Rep. Greg Kmetz
16:03:57 Rep. Joshua Kassmier-R

Closing Statement:

16:04:25 Chair Joshua Kassmier (R), HD 27, closed the hearing on HB 487.

Discussion:

16:05:06 Chair Kassmier resumed the Chair position and the gavel.

16:05:31 **Recessed**

16:07:51 **Reconvened**

**EXECUTIVE ACTION ON HB 158 - Revise custom exempt facilities as required by the
Federal Meat Inspection Act**

16:08:05 **Motion:** Vice Chair Marty Malone moved that **HB 158 DO PASS.**

16:08:44 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 159 - Repeal Livestock Crimestoppers Act

16:09:14 **Motion:** Vice Chair Marty Malone moved that **HB 159 DO PASS.**

16:09:44 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HJ 7 - Resolution on Livingston roundup association 100th anniversary

16:10:16 **Motion:** Vice Chair Marty Malone moved that **HJ 7 DO PASS.**

16:10:44 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 16:11:30

Rose Harmon, Secretary

Additional Documents: [EXHIBIT\(230216AGHaad\)](#)

Montana State Legislature

2023 Session

Additional Documents

- **Business Report.**
- **Roll Call -Attendance.**
- **Standing Committee Reports.**
- **Tabled Bills.**
- **Fiscal Reports [if any]**
- **Roll Call Votes.**
- **Proxies signed in ink.**
- **Visitor's sign-in sheet/log.**
- **Informational Items.**
- **Witness Statements [if any]**
- **Internet Testimony Information & index**
- **Any other type of documents, Petitions, {if any}**
Emails, all documents given to Committee Secretary
before & after meeting.
- **Public Testimony documents may or may not be**
scanned, they will be on file at the Montana
Historical Society.
- **Disclaimer: within the online minutes document you**
will see vacate spaces, possible spelling issues and
format glitches, the LAWS II system creates these
blank areas they are not loss of information the
other problems may be caused by auto populator.
- **The original exhibits/items are on file at the Montana**
Historical Society and may be viewed there.

BUSINESS REPORT
MONTANA HOUSE
REGULAR
(H) Agriculture

Date: 02/16/2023

Time: 3:00 PM

Place: Capitol

Room: 137

BILLS and RESOLUTIONS HEARD:

HB 388 Increase penalty for uninspected livestock - Rep. Joshua Kassmier

HB 487 Prohibit seed cleaning/conditioning without declaration - Rep. Joshua Kassmier

HJ 7 Resolution on Livingston roundup association 100th anniversary - Rep. Marty Malone

EXECUTIVE ACTION TAKEN:

HB 158:

HB 158 Do Pass

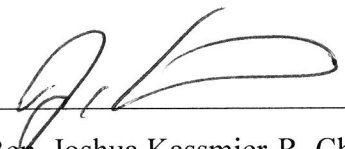
HB 159:

HB 159 Do Pass

HJ 7:

HJ 7 Do Pass

Comments:


Rep. Joshua Kassmier-R, Chair

House

Roll Call

(H) Agriculture

DATE: 02/16/2023

TIME: 3:00 PM

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Malone, Marty	X	
Fern, Dave	X	
Dooling, Julie	X	
Anderson, Fred	X	
Weatherwax, Marvin		X
Sullivan, Katie		X
Romano, Melissa	X	
Green, Paul	X	
Walsh, Kenneth	X	
Brockman, Tony	X	
Smith, Frank	X	
Carter, Bob		X
Barker, Brad	X	
Knudsen, Casey	X	
Mitchell, Braxton	X	
Bergstrom, James	X	
Kmetz, Greg	X	
Wirth, Zack	X	
Kassmier, Joshua	X	



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL

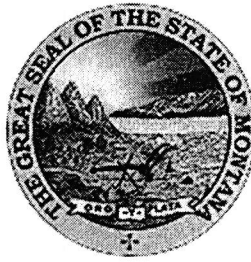
DATE: 2/16/23

NAME	PRESENT	ABSENT/EXCUSED
VICE CHAIR MALONE	✓	
VICE CHAIR FERN	✓	
REP. DOOLING	✓	
REP. ANDERSON	✓	
REP. WEATHERWAX		✓
REP. SULLIVAN		✓
REP. ROMANO	✓	
REP. GREEN	✓	
REP. WALSH	✓	
REP. BROCKMAN	✓	
REP. SMITH, F.	✓	
REP. CARTER		✓
REP. BARKER	✓	
REP. KNUDSEN, C.	✓	
REP. MITCHELL	✓	
REP. BERGSTROM	✓	
REP. KMETZ	✓	
REP. WIRTH	✓	
CHAIR KASSMIER	✓	

*1st at Roll call
This Meeting*

*Recorded joining
right after Roll Call*

19 MEMBERS



House Standing Committee Report

February 16, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Agriculture** recommend that **House Bill 158** (first reading copy – white) **Do Pass**.

Signed: _____

A handwritten signature in dark ink, appearing to read "J. Kassmier", written over a horizontal line.

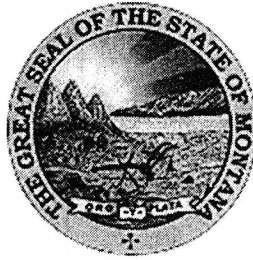
Rep. Joshua Kassmier-R, Chair

-End-

Committee Vote:

Yes 19, No 0

*yes 2-16-23
e 7pm*



House Standing Committee Report

February 16, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Agriculture** recommend that **House Bill 159** (first reading copy – white) **Do Pass**.

Signed: _____

A handwritten signature in black ink, appearing to read "JK", written over a horizontal line.

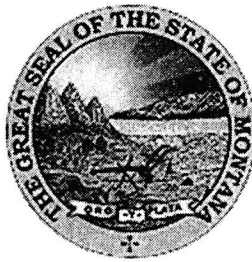
Rep. Joshua Kassmier-R, Chair

-End-

Committee Vote:

Yes 19, No 0

*Josh 2-16-23
@ 7AM*



House Standing Committee Report

February 16, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Agriculture** recommend that **House Joint Resolution 7** (first reading copy – white) **Do Pass**.

Signed: _____

A handwritten signature in black ink, appearing to be "JK", written over a horizontal line.

Rep. Joshua Kassmier-R, Chair

-End-

Committee Vote:

Yes 19, No 0

*2/16/23
e. y. m.*

HOUSE COMMITTEE ON (H) AGRICULTURE
February 16, 2023
VOTE TABULATION - HB 158

Rep. Malone made a Motion that HB 158 Do Pass
YEAS – 19 NAYS - 0

Y	Malone, Marty
Y	Fern, Dave
Y	Dooling, Julie
Y	Anderson, Fred
Y	Weatherwax, Marvin; by proxy
Y	Sullivan, Katie
Y	Romano, Melissa; by proxy
Y	Green, Paul
Y	Walsh, Kenneth
Y	Brockman, Tony; by proxy
Y	Smith, Frank
Y	Carter, Bob
Y	Barker, Brad; by proxy
Y	Knudsen, Casey; by proxy
Y	Mitchell, Braxton
Y	Bergstrom, James
Y	Kmetz, Greg
Y	Wirth, Zack
Y	Kassmier, Joshua



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 158

DATE 2/16/23

MOTION Do Pass - Voice

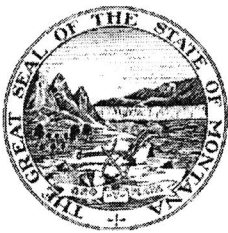
NAME	AYE	NO	PROXY
VICE CHAIR MALONE	}		
VICE CHAIR FERN			
REP. DOOLING			
REP. ANDERSON			
REP. WEATHERWAX			X
REP. SULLIVAN			
REP. ROMANO			X
REP. GREEN			
REP. WALSH			
REP. BROCKMAN			X
REP. SMITH, F.			
REP. CARTER			
REP. BARKER			X
REP. KNUDSEN, C.			X
REP. MITCHELL			
REP. BERGSTROM			
REP. KMETZ			
REP. WIRTH			
CHAIR KASSMIER			

19 MEMBERS

HOUSE COMMITTEE ON (H) AGRICULTURE
February 16, 2023
VOTE TABULATION - HB 159

Rep. Malone made a Motion that HB 159 Do Pass
YEAS – 19 NAYS - 0

Y	Malone, Marty
Y	Fern, Dave
Y	Dooling, Julie
Y	Anderson, Fred
Y	Weatherwax, Marvin; by proxy
Y	Sullivan, Katie
Y	Romano, Melissa; by proxy
Y	Green, Paul
Y	Walsh, Kenneth
Y	Smith, Frank
Y	Carter, Bob
Y	Barker, Brad; by proxy
Y	Knudsen, Casey; by proxy
Y	Mitchell, Braxton
Y	Bergstrom, James
Y	Kmetz, Greg
Y	Wirth, Zack
Y	Kassmier, Joshua
Y	Brockman, Tony; by proxy



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 159

DATE 2/16/23

MOTION Do Pass - Voice

NAME	AYE	NO	PROXY
VICE CHAIR MALONE			
VICE CHAIR FERN			
REP. DOOLING			
REP. ANDERSON			
REP. WEATHERWAX			X
REP. SULLIVAN			
REP. ROMANO			X
REP. GREEN			
REP. WALSH			
REP. BROCKMAN			X
REP. SMITH, F.			
REP. CARTER			
REP. BARKER			X
REP. KNUDSEN, C.			X
REP. MITCHELL			
REP. BERGSTROM			
REP. KMETZ			
REP. WIRTH			
CHAIR KASSMIER			

19 MEMBERS

HOUSE COMMITTEE ON (H) AGRICULTURE
February 16, 2023
VOTE TABULATION - HJ 7

Rep. Malone made a Motion that HJ 7 Do Pass
YEAS – 19 NAYS - 0

Y	Malone, Marty
Y	Fern, Dave
Y	Dooling, Julie
Y	Anderson, Fred
Y	Weatherwax, Marvin; by proxy
Y	Sullivan, Katie
Y	Romano, Melissa; by proxy
Y	Green, Paul
Y	Walsh, Kenneth
Y	Brockman, Tony; by proxy
Y	Smith, Frank
Y	Carter, Bob
Y	Barker, Brad; by proxy
Y	Knudsen, Casey; by proxy
Y	Mitchell, Braxton
Y	Bergstrom, James
Y	Kmetz, Greg
Y	Wirth, Zack
Y	Kassmier, Joshua



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL VOTE

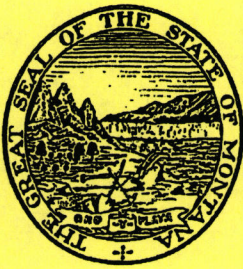
BILL NUMBER HR 7

DATE 2/16/23

MOTION Do Pass - Voice

NAME	AYE	NO	PROXY
VICE CHAIR MALONE			
VICE CHAIR FERN			
REP. DOOLING			
REP. ANDERSON			
REP. WEATHERWAX			X
REP. SULLIVAN			
REP. ROMANO			X
REP. GREEN			
REP. WALSH			
REP. BROCKMAN			X
REP. SMITH, F.			
REP. CARTER			
REP. BARKER			X
REP. KNUDSEN, C.			X
REP. MITCHELL			
REP. BERGSTROM			
REP. KMETZ			
REP. WIRTH			
CHAIR KASSMIER			

19 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION

I request to be excused from the _____ Committee.

I desire to leave my proxy vote with Rep. Fern.

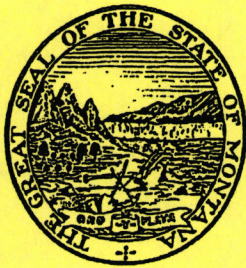
PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
158	Do Pass	✓	
159	Do Pass	✓	
HJR-8	Do Pass	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. _____
for any amendments proposed on this date.

Rep. Man B. Weatherax Man B. Weatherax Jr
(Signature) (Print Name) (Meeting Date)



The Big Sky Country

**MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION**

I request to be excused from the Agriulture Committee.

I desire to leave my proxy vote with Rep. Fern.

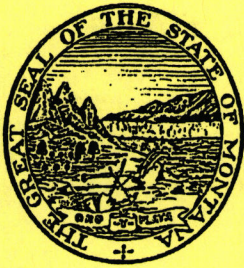
PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
158	Do Pass	✓	
159	Do Pass	✓	
SAJ-7	Do Pass	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. _____
for any amendments proposed on this date.

Rep. Melisa Romano Melissa Romano
(Signature) (Print Name) (Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 68TH LEGISLATIVE SESSION

I request to be excused from the House Ag. Committee.

I desire to leave my proxy vote with Rep. Doolina.

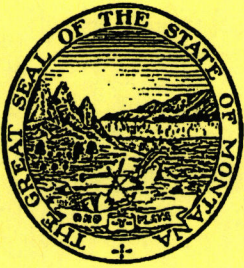
PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
158	due pass	Y	
159	due pass	Y	
HJ7	due pass	Y	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Doolina
for any amendments proposed on this date.

Rep. Tony Brock Tony Brockman 2/16/2023
(Signature) (Print Name) (Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 68TH LEGISLATIVE SESSION

I request to be excused from the _____ Committee.

I desire to leave my proxy vote with Rep. _____.

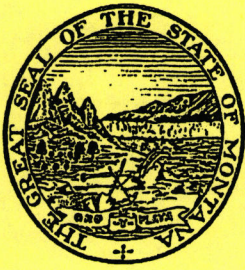
PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
158	158	X	
159	159	X	
HJR 7		X	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. _____
for any amendments proposed on this date.

Rep. _____
(Signature) BRAD BARKER (Print Name) _____
(Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 68TH LEGISLATIVE SESSION

I request to be excused from the AG Committee.

I desire to leave my proxy vote with Rep. _____.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB 158	Do Pass	X	
HB 159	Do Pass	X	
HJ 7	Do Pass	X	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. _____
for any amendments proposed on this date.

Rep. _____

(Signature)

(Print Name)

(Meeting Date)



MONTANA HOUSE OF REPRESENTATIVES



if we do executive Action,

Vote me yes on HB 158 + HB 159

HJ 7
Casey Knudsen

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) AGRICULTURE

Call to Order: Chair Dave Fern-D, on February 21, 2023 at 2:59 PM, in 137

ROLL CALL

Members Present: Rep. Joshua Kassmier, Chair (R)
Rep. Dave Fern, Vice Chair (D)
Rep. Marty Malone, Vice Chair (R)
Rep. Fred Anderson (R)
Rep. Brad Barker (R)
Rep. James Bergstrom (R)
Rep. Tony Brockman (R)
Rep. Bob Carter (D)
Rep. Greg Kmetz (R)
Rep. Casey Knudsen (R)
Rep. Braxton Mitchell (R)
Rep. Melissa Romano (D)
Rep. Frank Smith (D)
Rep. Katie Sullivan (D)
Rep. Kenneth Walsh (R)
Rep. Zack Wirth (R)

Members Excused: Rep. Julie Dooling (R)
Rep. Paul Green (R)
Rep. Marvin Weatherwax (D)

Staff Present: Andria Hardin, Research Analyst
Rose Harmon, Secretary
Loran Nelson, Remote Meeting Coordinator

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

HB 475 02/16/2023

Executive Action:

HB 388 DO PASS

HB 487 TO TABLE

15:00:00 Chair Kassmier passed the gavel to Vice Chair Fern.
15:03:05 Rep. Weatherwax has arrived
15:04:23 Chair Kassmier has left
15:04:35 Vice Chair Malone has left

HEARING ON HB 475 - Generally revise laws related to agricultural equipment repair

Opening Statement:

15:01:38 Rep. Tom France (D), HD 94, opened the hearing on HB 475, Generally revise laws related to agricultural equipment repair.

Proponent Testimony:

15:09:59 Rachel Prevost, Montana Farmers Union (MFU)
[EXHIBIT\(230221AGHa1\)](#)
[EXHIBIT\(230221AGHa2\)](#)
[EXHIBIT\(230221AGHa3\)](#)
15:12:59 Erik Somerfeld, Montana Farmers Union (MFU)
15:22:34 Willie Cade, Self
15:25:21 Chair Joshua Kassmier joined the meeting.
15:27:08 Paul Roberts, Founder of Secure Repairs-Information Technology and Information Security Professionals
15:30:34 Gay Gordon-Byrne, Executive Director, Digital Right to Repair Coalition
15:34:11 Gilles Stockton, Rancher, Northern Plains Resource Council, Montana Cattleman's Association
15:35:38 Richard Liebert, Rancher, Montana Cattleman's Association
15:37:18 Kevin O'Reilly, Right to Repair Campaign, Public Interest Research Group (PIRG)

Opponent Testimony:

15:42:01 Jeff Fjelstad, President, Montana Equipment Dealer's Association (MEDA), Regional Sales Manager, C and B Equipment
[EXHIBIT\(230221AGHa4\)](#)

15:49:00 Adam Gilbertson, Senior Vice President, RDO Equipment Company (RDO)
[EXHIBIT\(230221AGHa5\)](#)

15:49:04 Adam Gilbertson, Senior Vice President, RDO Equipment Company (RDO)
[EXHIBIT\(230221AGHa6\)](#)

15:49:45 Vice Chair Marty Malone joined the meeting.

15:53:52 Wayne Fischer, Director of Parts, Service, and Technology, Torgerson's LLC in Montana (Torgerson), New Holland

15:56:22 Patrick Wheeler, Equipment Dealer, Farmer

15:58:45 Rep. Julie Dooling joined the meeting.

16:00:18 Rachel Cone, Montana Farm Bureau Federation (MFBF)
[EXHIBIT\(230221AGHa7\)](#)

16:02:36 Charles Robison, Montana Chamber of Commerce

16:03:32 Scott Reichner, Montana Auto Dealer's Association (MTADA)

16:04:35 Tami Christensen, Partner, Tri-County Implement

16:05:38 Tim Van Dam, Partner and Owner, Churchill Equipment Company, Manhattan, Montana

16:08:21 Nathan Balstad, C and B Operations LLC, Billings, Montana

16:10:13 Dave Franck, General Service Manager, Tractor and Equipment Company

16:11:14 Michael Kjos, Store Manager, C and B Operations LLC, Agriculture Equipment Sales Consultant (C and B Ops)

16:11:33 Rep. Casey Knudsen left the meeting.

16:13:40 Tom Zimmer, Tri-State Truck and Equipment-Truck Repair Services

16:14:57 Cynthia Johnson, Farmer and President, Montana Farm Bureau Federation

Informational Witness Testimony:

None

Questions from Committee:

16:16:46 Rep. Katie Sullivan

16:17:12 Rep. Tom France-D

16:19:30 Rep. Braxton Mitchell left the meeting.

16:19:54 Rep. James Bergstrom

16:20:33 Jeff Fjelstad, MEDA

16:21:01 Rep. Greg Kmetz

16:21:58 Wayne Fischer, Torgerson

16:24:04 Rep. James Bergstrom

16:25:00 Rep. Brad Barker left the meeting.

16:25:02 Jeff Fjelstad, MEDA

16:26:32 Rep. Bob Carter

16:27:15 Rep. Tom France-D

16:29:05 Rep. Bob Carter

16:29:24 Jeff Fjelstad, MEDA

16:29:34 Rep. Bob Carter

16:30:00 Rep. Tom France-D

16:31:18 Vice Chair Marty Malone

16:32:35 Rep. Fred Anderson left the meeting.

16:32:40 Rep. Tom France-D

16:33:42 Rep. Katie Sullivan
16:34:13 Erik Somerfeld, MFU
16:35:50 Rep. Frank Smith
16:36:59 Wayne Fischer, Torgerson
16:37:10 Rep. Bob Carter
16:37:57 Michael Kjos, C and B Ops
16:38:38 Patrick Wheeler, Equipment Dealer and Farmer

Closing Statement:

16:41:09 Rep. Tom France (D), HD 94, closed the hearing on HB 475.

16:45:29 **Recessed**

16:54:05 **Reconvened**

EXECUTIVE ACTION ON HB 388 - Increase penalty for uninspected livestock

16:54:07 **Motion:** Vice Chair Marty Malone moved that **HB 388 DO PASS.**

16:33:30 **Vote:** Motion carried 17 - 2 by voice vote with Rep. Dooling, Rep. Knudsen, voting no.
Rep. Knudsen, By Proxy

EXECUTIVE ACTION ON HB 487 - Prohibit seed cleaning/conditioning without declaration

16:56:44 **Motion:** Vice Chair Marty Malone moved that **HB 487 DO PASS.**

16:57:11 **Substitute Motion:** Vice Chair Dave Fern moved that **HB 487 TO TABLE.**

16:33:30 **Vote:** Substitute Motion carried 12 - 7 by roll call vote with Rep. Bergstrom, Rep. Brockman, Rep. Dooling, Rep. Kassmier, Rep. Kmetz, Rep. Walsh, Rep. Wirth, voting no.

ADJOURNMENT

Adjournment: 17:00:43

Rose Harmon, Secretary

Additional Documents: [EXHIBIT\(230221AGHaad\)](#)



2023 Session

Additional House Documents

- Business Report
- Roll Call -Attendance
- Standing Committee Reports
- Tabled Bills
- Fiscal Reports [if any]
- Roll Call Votes
- Proxies signed in ink
- Visitor's sign-in sheet.
- Informational Item's
- Witness Statements if any,
- Zoom/Internet Testimony Information & index
- Any other type of documents such as:
 - @ Petitions, {if any} Emails, all documents given to Committee Secretary before & after meeting.
- Public Testimony documents may or may not be scanned, they will be on file at the Montana Historical Society.
- Disclaimer: within the online minutes document you will see vacate spaces within the document. The LAWS II system creates these blank areas they are not loss of information.

The original exhibit/items are on file at the Montana Historical Society and may be viewed there.

Montana Historical Society Archives,
225 N. Roberts, Helena, MT 59620-1201
E-Document Specialist Susie Hamilton

BUSINESS REPORT

MONTANA HOUSE

REGULAR

(H) Agriculture

Date: 02/21/2023

Time: 3:00 PM

Place: Capitol

Room: 137

BILLS and RESOLUTIONS HEARD:

HB 475 Generally revise laws related to agricultural equipment repair - Rep. Tom France

EXECUTIVE ACTION TAKEN:

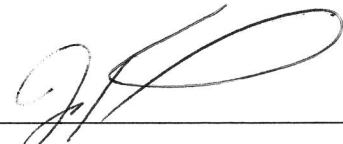
HB 388:

HB 388 Do Pass

HB 487:

HB 487 To Table

Comments:

A handwritten signature in black ink, appearing to read 'J. Kassmier', is written over a horizontal line.

Rep. Joshua Kassmier-R, Chair

House
Roll Call
(H) Agriculture

DATE: 02/21/2023

TIME: 3:00 PM

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Malone, Marty	X	
Fern, Dave	X	
Dooling, Julie		X
Anderson, Fred	X	
Weatherwax, Marvin		X
Sullivan, Katie	X	
Romano, Melissa	X	
Green, Paul		X
Walsh, Kenneth	X	
Brockman, Tony	X	
Smith, Frank	X	
Carter, Bob	X	
Barker, Brad	X	
Knudsen, Casey	X	
Mitchell, Braxton	X	
Bergstrom, James	X	
Kmetz, Greg	X	
Wirth, Zack	X	
Kassmier, Joshua	X	



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL

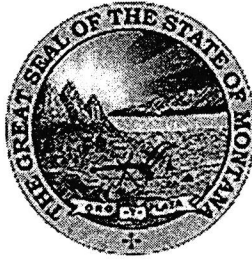
DATE: 2/21/23

NAME	PRESENT	ABSENT/EXCUSED
VICE CHAIR MALONE	✓	
VICE CHAIR FERN	✓	
REP. DOOLING		✓
REP. ANDERSON	✓	
REP. WEATHERWAX		✓
REP. SULLIVAN	✓	
REP. ROMANO	✓	
REP. GREEN		✓
REP. WALSH	✓	
REP. BROCKMAN	✓	
REP. SMITH, F.	✓	WASH Is Here
REP. CARTER	✓	
REP. BARKER	✓	
REP. KNUDSEN, C.	✓	
REP. MITCHELL	✓	
REP. BERGSTROM	✓	
REP. KMETZ	✓	
REP. WIRTH	✓	
CHAIR KASSMIER <i>Call 1st</i>	✓	

16

~~*~~ 3

19 MEMBERS



House Standing Committee Report

February 21, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Agriculture** recommend that **House Bill 388** (first reading copy – white) **Do Pass**.

Signed: _____


Rep. Joshua Kassmier-R, Chair

-End-

Committee Vote:

Yes 17, No 2

*HB 388-23
@ 7:15 am*

BILL TABLED NOTICE

House (H) Agriculture

The House (H) Agriculture TABLED

HB487-Prohibit seed cleaning/conditioning without declaration- Rep. Joshua Kassmier

by motion, on Tuesday February 21, 2023, (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)

2/21 / 7:20 PM

(time)

(date)

MONTANA HOUSE OF REPRESENTATIVES STANDING COMMITTEE REPORT REQUEST

Committee: HOUSE AGRICULTURE COMMITTEE Date: 2/21/23

The following committee action occurred on the above date:

(internal use only)

Bill Number	Pass	Amended	CC*	Tabled	Vote Total		Amendment File #	Rep. Carrying Senate Bill Only	Fiscal Note Rev. in Comm.
					Yes	No			
HB 388	☒	☐	☐	☐	17	2			☐
HB 487	☐	☐	☐	☒	12	7			☐
	☐	☐	☐	☐					☐
	☐	☐	☐	☐					☐
	☐	☐	☐	☐					☐
	☐	☐	☐	☐					☐
	☐	☐	☐	☐					☐
	☐	☐	☐	☐					☐

Committee Clerk: Rose Harmon Phone: 4-4847 Room: 451

Staffer: _____ Phone: _____ Date: _____

Amendment Coordinator: _____ Date: _____ Time: _____

*CC = Placed on Consent Calendar

HOUSE COMMITTEE ON (H) AGRICULTURE
February 21, 2023
VOTE TABULATION - HB 388

Rep. Malone made a Motion that HB 388 Do Pass
YEAS – 17 NAYS - 2

Y	Malone, Marty
Y	Fern, Dave
N	Dooling, Julie
Y	Anderson, Fred; by proxy
Y	Weatherwax, Marvin
Y	Sullivan, Katie
Y	Romano, Melissa
Y	Green, Paul; by proxy
Y	Walsh, Kenneth
Y	Brockman, Tony
Y	Smith, Frank
Y	Carter, Bob
Y	Barker, Brad; by proxy
N	Knudsen, Casey; by proxy
Y	Bergstrom, James
Y	Kmetz, Greg
Y	Wirth, Zack
Y	Kassmier, Joshua
Y	Mitchell, Braxton; by proxy



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 388

DATE 2/21/23

MOTION Do Pass Noice

NAME	AYE	NO	PROXY
VICE CHAIR MALONE			
VICE CHAIR FERN			
REP. DOOLING		X	
REP. ANDERSON	X		X
REP. WEATHERWAX			
REP. SULLIVAN			
REP. ROMANO			
REP. GREEN	X		X
REP. WALSH			
REP. BROCKMAN			
REP. SMITH, F.			
REP. CARTER			
REP. BARKER	X		X
REP. KNUDSEN, C.	X	X	X
REP. MITCHELL	X		X
REP. BERGSTROM			
REP. KMETZ			
REP. WIRTH			
CHAIR KASSMIER			

19 MEMBERS

17

2

HOUSE COMMITTEE ON (H) AGRICULTURE
February 21, 2023
VOTE TABULATION - HB 487

Rep. Malone made a Motion that HB 487 Do Pass
YEAS – 0 NAYS - 0

HOUSE COMMITTEE ON (H) AGRICULTURE
February 21, 2023
VOTE TABULATION - HB 487

Rep. Malone made a Substitute Motion that HB 487 To Table
YEAS – 12 NAYS - 7

Y	Malone, Marty
Y	Fern, Dave
Y	Weatherwax, Marvin
Y	Sullivan, Katie
Y	Romano, Melissa
Y	Green, Paul; by proxy
N	Walsh, Kenneth
N	Brockman, Tony
Y	Carter, Bob
N	Bergstrom, James
N	Kmetz, Greg
N	Wirth, Zack
N	Kassmier, Joshua
N	Dooling, Julie
Y	Anderson, Fred; by proxy
Y	Smith, Frank
Y	Barker, Brad; by proxy
Y	Knudsen, Casey; by proxy
Y	Mitchell, Braxton; by proxy



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AGRICULTURE COMMITTEE

ROLL CALL VOTE

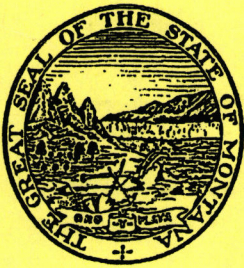
BILL NUMBER HB 487

DATE 2/21/23

MOTION To Table Roll Call

NAME	AYE	NO	PROXY
VICE CHAIR MALONE	✓		
VICE CHAIR FERN	✓		
REP. DOOLING		✓	
REP. ANDERSON	✓		✓
REP. WEATHERWAX	✓		
REP. SULLIVAN	✓		
REP. ROMANO	✓		
REP. GREEN <i>Don't Pass To Table</i>	✓		✓
REP. WALSH		✓	
REP. BROCKMAN		✓	
REP. SMITH, F.	✓		
REP. CARTER	✓		
REP. BARKER <i>Don't Pass To Table</i>	✓		✓
REP. KNUDSEN, C. <i>Don't Pass Yes to Table</i>	✓		✓
REP. MITCHELL <i>Don't Pass Yes to Table</i>	✓		✓
REP. BERGSTROM		✓	
REP. KMETZ		✓	
REP. WIRTH		✓	
CHAIR KASSMIER		✓	

12 / 7 19 MEMBERS



The Big Sky Country

**MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION**

I request to be excused from the Agriculture Committee.

I desire to leave my proxy vote with Rep. Malone.

PLEASE USE PEN

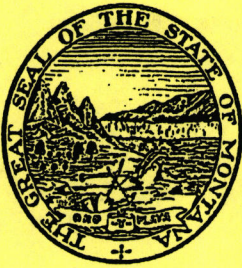
BILL	MOTION (Include AMENDMENT #)	AYE	NO
588		☒	☐
487	TABIE	☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

BILL	MOTION (Include AMENDMENT #)	AYE	NO
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

I authorize my vote to be matched with that of Rep. _____
for any amendments proposed on this date.

Rep. Fred Anderson Fred Anderson _____
(Signature) (Print Name) (Meeting Date)

(Meeting Date)



The Big Sky Country

**MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION**

I request to be excused from the Agriculture Committee.

I desire to leave my proxy vote with Rep. Massman Karsen.

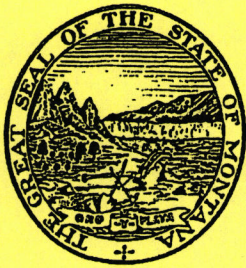
PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB 388		✓	
HB 487			✓

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Massman
for any amendments proposed on this date.

Rep. Brad Barker BRAD BARKER
(Signature) (Print Name) (Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 68TH LEGISLATIVE SESSION

I request to be excused from the AG Committee.

I desire to leave my proxy vote with Rep. Macne.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO	BILL	MOTION (Include AMENDMENT #)	AYE	NO
388	PASS		✓				
487	PASS PASS		✓				

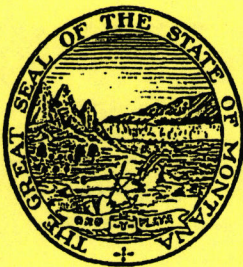
I authorize my vote to be matched with that of Rep. _____
for any amendments proposed on this date.

Rep. _____

(Signature)

(Print Name)

(Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 68TH LEGISLATIVE SESSION

I request to be excused from the AG Committee.

I desire to leave my proxy vote with Rep. Kassmier.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB388		✓	✗
	TABLE	✓	✗
HB487	TABLE	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Kassmier
for any amendments proposed on this date.

Rep. Braxton Mitchell
(Signature)

Braxton Mitchell
(Print Name)

(Meeting Date)





RDO Equipment Co. Right to Repair Testimony

Mr. Chairman,

My name is Adam Gilbertson, I am a Senior Vice-President for RDO Equipment Co., I live in Laurel, Montana with my family. RDO Equipment Co. is a 55-year-old equipment distribution and customer service company with that has six locations in Montana: Billings, Bozeman, Missoula, Kalispell, Great Falls and Montana City (Helena). We currently have over 160 team members across the state and have a payroll over \$17 million for 2022. As an organization, we are heavily invested in Montana, and we are committed to supporting the producers and builders who grow our food and build our infrastructure in Montana.

We are here today in opposition to HB475.

In 2021, we were here in front of the legislature in opposition to proposed legislation on the Right to Repair and we committed to this body that we would work on this issue with our farming partners to ensure that they were aware of what is available to support their desire to do their own repairs.

Over the past two years, we have worked with the Montana Equipment Dealers to educate and promote the commitments made by Montana dealers and our manufacturer partners about the robust suite of tools, parts and subscriptions that farmers and ranchers can purchase at fair and reasonable terms to enable them to repair their own equipment.

We have hosted two annual conventions where we held right to repair panels involving partners from the Stock Growers and Grain Growers associations as well as presenting on this issue at the Grain Growers association's annual meeting to their members. In addition, we have promoted Do It Yourself service on our website, through an Episode of The Track, RDO's online Blog where our company's Chief Operating Officer, Chris Cooper, clearly laid out the company's support for a farmer's Right to Repair their own equipment and we have made it possible for any customer in the country to purchase the Customer Service Advisor tooling and software from RDO Equipment Co. on our E-Commerce platform.

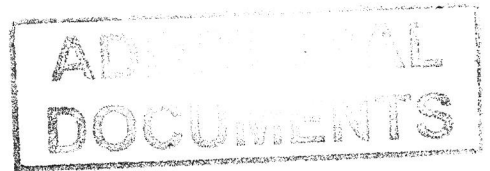
In the past year, MEDA, or trade association spent over \$15,000 on 2 full page advertisements in the Prairie Star and the Trader's Dispatch. (Hand Out the AD) These are two regional periodicals that are well read in the farming community. In those ads, we collectively declared that the dealers and our association in Montana support a farmer's right to repair their own equipment and that our manufacturer partners had committed to make those tools available.

The call to action on that advertisement states "If you have any questions about how this process works, please call us at the number listed below." The number listed was my personal cell phone number. In the course of the year, I received a total of 2 calls with questions about the ad. Both were from farmers that were located in Idaho and I put them in touch with the dealer they were looking to connect with.

As an industry, we agree that a farmer should be able to repair their own equipment, we believe they can do that today, without any legislative remedy.

In addition, HB475 does irreparable harm to Montana's 56 dealers by requiring them to sell parts at their cost. We know of no other instance where the government mandates this business killing requirement. Both bills allow customers to gain access to proprietary intellectual property (software) and alter pre-set EPA settings, horsepower settings and safety settings. This is unacceptable and puts the public at risk.

We encourage this committee to table this bill immediately.



HB475 Proponent Testimony

Mr. Chair and members of the House Agriculture Committee for the record my name is Erik Somerfeld and I am here representing the Montana Farmers Union.

In farming, time is money. Whether it's being able to seed early between rain showers so you can avoid the heat of late summer, spraying early in the morning before the wind comes up or the crop is out of the right stage for the chemical or at harvest trying to get the crop in the bin before a hailstorm destroys it.

Breakdowns happen in farming, that's just a fact. The trouble is now instead of racing to the dealer to get the parts, put them on and get back to work, many times you're stuck waiting for a technician so show up and let the ECU or computer recognize the sensor that was replace.

Last summer, I spent 2 days harvesting with earplugs in because the moisture monitor was not working and was sending an error code saying that the clean grain elevator it is mounted on wasn't turning fast enough. Using a bypass supplied by the technician when he came to diagnose the problem didn't stop the buzzer and neither did replacing that speed sensor and pickup. Only when the moisture sensor came in and the computer was reset did the buzzer stop

My story on right to repair is mainly of ringing in my ears and annoyance. The is though that many others will tell of an engine speed sensor or a transmission shift position sensor going out and not being able to move the machine. Worse yet are the times that it is an intermittent problem that comes and goes and never seems to happen when the technician is there to solve the problem. This can take many trips back and forth at considerable cost to the farmer.

The opponents have a list of reasons why right to repair shouldn't be passed. All of them are wrong or self-serving.

The first will be that we want to boost the horsepower or eliminate the emissions controls. Those that want to do this illegally simply need to Google: tractor horsepower chip or tractor exhaust delete and they will get a list of people willing to sell you the products to do this right now.

If the machine is under warranty and you do this, you have voided it. If not, you will pay for it when it blows up. Deleting the emissions controls is illegal under federal law and right to repair does not ask for anything illegal to be done.

Next is that it will be used to steal their intellectual property. Wrong again.

In 2015, the federal regulators ruled that there are exceptions to the Digital Millennium Copyright Act concerning intellectual property protections. It said that consumers have the right to circumvent the technical protections measures in limited situations. (Federal Register Vol. 80 Num. 208 37CFR part 201 docket number 2014-07)

It also says that you can't use this exception to make programs, ECU's or computers for sale using that intellectual property.

Another argument opponents will use is that this was solved earlier this year with an MOU. This MOU covers only one of the manufacturers and can be left by that manufacturer with 30 days' notice. It doesn't include all of the tools necessary to complete the repairs only to diagnose them. Many of the things were also promised in 2018 and weren't followed through with. The timing of this agreement seems to coincide with 11 states proposing right to repair legislation.

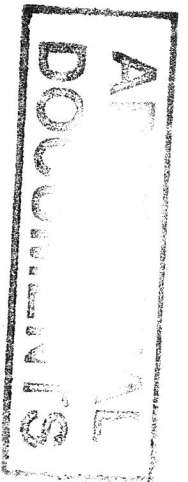
A last argument you will hear is that if there is legislation, it should be left to the Federal government to come up with it. I counter that wouldn't you rather have a Montana solution crafted with our concerns addressed rather than one handed down to us?

I urge a do pass on HB475 for a Montana solution to a critical problem for Montana farmers and ranchers. The tools and software at a fair and reasonable price to truly repair our equipment or have some else do it for us, is what we are simply asking for.

AGH

Date 02/21/2023

Committee	H/S	Bill #	Position	Requester Name	Location	Affiliation
AGH	HB	475	Proponent	Erik Somerfeld	Power, MT	Montana Farmers Union
AGH	HB	475	Proponent	Willie Cade	Chicago, IL	N/A
AGH	HB	475	Proponent	Paul Roberts	Belmont, MA	Secure Repairs
AGH	HB	475	Proponent	Gay Gordon-Byrne	North River, NY	The Repair Association
AGH	HB	475	Proponent	Gilles Stockton	Grass Range, MT	N/A
AGH	HB	475	Proponent	Kevin O'Reilly	Boston, MA	The Public Interest Research Group (PIRG)
AGH	HB	475	Proponent	Gail Waldby	Livingston, MT	N/A
AGH	HB	475	Proponent	Richard Liebert	Great Falls, MT	Montana Cattleman's Association
AGH	HB	475	Proponent	Walter Schweitzer	Geyser, MT	Montana Farmers Union
AGH	HB	475	Opponent	Tami Christensen	Sidney, MT	N/A
AGH	HB	475	Opponent	Timothy Van Dam	Manhattan, MT	N/A
AGH	HB	475	Opponent	Nate Balstad	Billings, MT	C&B Operations LLC
AGH	HB	475	Opponent	David Franck	Billings, MT	Tractor and Equipment Co
AGH	HB	475	Opponent	Kenneth Wheeler Jr.	Valier, MT	N/A
AGH	HB	475	Opponent	Patrick Wheeler	Valier, MT	N/A
AGH	HB	475	Opponent	Michael Kjos	Fairview, MT	C&B Operations LLC
AGH	HB	475	Opponent	Tom Zimmer	Billings, MT	N/A



MINUTES

MONTANA SENATE

68th LEGISLATURE - REGULAR SESSION

COMMITTEE ON (S) AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chair Bruce Gillespie-R, on March 16, 2023 at 3:01 PM, in 335

ROLL CALL

Members Present: Sen. Bruce Gillespie, Vice Chair (R)
Sen. Dan Bartel (R)
Sen. Ellie Boldman (D)
Sen. Wendy McKamey (R)
Sen. Shane Morigeau (D)
Sen. Shannon O'Brien (D)
Sen. Daniel Salomon (R)
Sen. Jeffrey Welborn (R)

Members Excused: Sen. Mike Lang (R)
Sen. Dennis Lenz (R)
Sen. Susan Webber (D)

Staff Present: Grace Gibney, Secretary
Trevor Graff, Research Analyst
Heather Vande-Sandt, Attorney

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

HB 388 03/14/2023

HB 418 03/14/2023

HB 767 03/14/2023

Executive Action:

HEARING ON HB 388 - Increase penalty for uninspected livestock

Opening Statement:

15:02:21 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 388, Increase penalty for uninspected livestock.

Proponent Testimony:

15:02:46 Mike Honeycutt, Executive Director, Montana Department of Livestock, (MDOL)

15:06:08 Rachel Cone, Montana Farm Bureau Federation (MFBBF)

15:07:12 Rachel Prevost, Montana Farmers Union (MFU)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:08:27 Vice Chair Bruce Gillespie

15:09:45 Mike Honeycutt, MDOL

15:12:07 Sen. Jeffrey Welborn

15:12:52 Mike Honeycutt, MDOL

15:16:05 Sen. Wendy McKamey

15:17:20 Mike Honeycutt, MDOL

Closing Statement:

15:17:39 Rep. Joshua Kassmier (R), HD 27, closed the hearing on HB 388.

HEARING ON HB 767 - Provide board review of brands

Opening Statement:

15:18:32 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 767, Provide board review of brands.

Proponent Testimony:

15:18:59 Rachel Cone, Montana Farm Bureau Federation (MFBF)

Opponent Testimony:

None

Informational Witness Testimony:

15:20:13 Jay Bodger, Montana Department of Livestock (DOL)

Questions from Committee:

15:20:47 Sen. Wendy McKamey

15:20:49 Jay Bodner, DOL

15:21:33 Sen. Wendy McKamey

15:22:03 Rep. Joshua Kassmier-R

15:22:10 Sen. Shannon O'Brien

15:22:39 Jay Bodner, DOL

15:25:08 Vice Chair Bruce Gillespie

15:27:11 Jay Bodner, DOL

Closing Statement:

15:27:46 Rep. Joshua Kassmier (R), HD 27, closed the hearing on HB 767.

HEARING ON HB 418 - Revise limitations on irrigable acreage

Opening Statement:

15:34:06 Rep. Ross Fitzgerald (R), HD 17, opened the hearing on HB 418, Revise limitations on irrigable acreage.

Proponent Testimony:

15:35:26 Erling Juel, Greenfield Irrigation District

15:42:19 Mike Murphy, Montana Water Resources Association (MWRA)

15:43:50 Rachel Prevost, Montana Farmers Union (MFU)

Opponent Testimony:

15:45:09 Spencer Pearson, self

15:50:02 Holton Pearson, self

Informational Witness Testimony:

None

Questions from Committee:

15:53:24 Sen. Wendy McKamey

15:54:45 Rep. Ross Fitzgerald-R

15:56:16 Sen. Wendy McKamey

15:56:55 Erling Juel, Greenfield Irrigation District

15:57:58 Chair Mike Lang joined the meeting.

16:03:30 Sen. Wendy McKamey

16:04:09 Mike Murphy, MWRA

16:05:52 Sen. Dan Bartel

16:06:33 Erling Juel, Greenfield Irrigation District

16:09:38 Vice Chair Bruce Gillespie

16:10:32 Erling Juel, Greenfield Irrigation District

16:13:47 Sen. Shannon O'Brien

16:14:35 Spencer Pearson, self

16:21:40 Sen. Dan Bartel

16:21:59 Rep. Ross Fitzgerald-R

Closing Statement:

16:22:08 Rep. Ross Fitzgerald (R), HD 17, closed the hearing on HB 418.

ADJOURNMENT

Adjournment: 16:23:06

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230316AGSaad\)](#)



2023 Session

Additional House Documents

- Business Report
- Roll Call -Attendance
- Standing Committee Reports
- Tabled Bills
- Fiscal Reports [if any]
- Roll Call Votes
- Proxies signed in ink
- Visitor's sign-in sheet.
- Informational Item's
- Witness Statements if any,
- Zoom/Internet Testimony Information & index
- Any other type of documents such as:
 - @ Petitions, {if any} Emails, all documents given to Committee Secretary before & after meeting.
- Public Testimony documents may or may not be scanned, they will be on file at the Montana Historical Society.
- Disclaimer: within the online minutes document you will see vacate spaces within the document. The LAWS II system creates these blank areas they are not loss of information.

The original exhibit/items are on file at the Montana Historical Society and may be viewed there.

Montana Historical Society Archives,
225 N. Roberts, Helena, MT 59620-1201
E-Document Specialist Susie Hamilton

BUSINESS REPORT

MONTANA SENATE

REGULAR

(S) Agriculture, Livestock and Irrigation

Date: 03/16/2023

Time: 3:00 PM

Place: Capitol

Room: 335

BILLS and RESOLUTIONS HEARD:

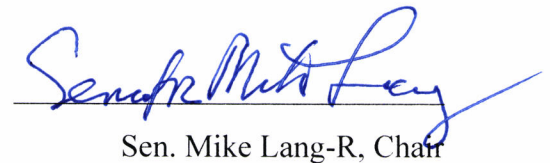
HB 388 Increase penalty for uninspected livestock - Rep. Joshua Kassmier

HB 418 Revise limitations on irrigable acreage - Rep. Ross Fitzgerald

HB 767 Provide board review of brands - Rep. Joshua Kassmier

EXECUTIVE ACTION TAKEN:

Comments:

A handwritten signature in blue ink, reading "Sen. Mike Lang-R", is written over a horizontal line. The signature is stylized and cursive.

Sen. Mike Lang-R, Chair

Senate

Roll Call

(S) Agriculture, Livestock and Irrigation

DATE: 03/16/2023

TIME: 3:00 PM

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Webber, Susan		X
Gillespie, Bruce	X	
Bartel, Dan	X	
Boldman, Ellie	X	
Lenz, Dennis		X
Morigeau, Shane	X	
McKamey, Wendy	X	
O'Brien, Shannon	X	
Salomon, Daniel	X	
Welborn, Jeffrey	X	
Lang, Mike		X

#3

VISITORS REGISTER

MONTANA SENATE
AGRICULTURE COMMITTEEDate: 3.16.23 Bill No: HB418Sponsor: Rep. Fitzgerald
(Insert Short Title)

Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
Mike Murphy	mwra	X		
ERLING A. JUEL	Greenfields ID	X		
Spencer Pearson	Self		X	
Holten Pearson	Self		X	
Jasmine Krotkov	MT Farmers Union	✓		

Please leave prepared testimony with Committee Secretary. Witness Statement
Forms are available if you prefer to submit written testimony.

VISITORS REGISTER

MONTANA SENATE AGRICULTURE COMMITTEE

Date: 3.16.23 Bill No: HB767

Sponsor: Rep. Kassmier
(Insert Short Title)

Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
Jay Bodner	DOL			✓
Rachel Cone	MFRBF	✓		

*Please leave prepared testimony with Committee Secretary. Witness Statement
Forms are available if you prefer to submit written testimony.*

VISITORS REGISTER

MONTANA SENATE AGRICULTURE COMMITTEE

Date: 3.16.23 Bill No: HB388

Sponsor: Rep. Kassmier
(Insert Short Title)

Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
Mike Honeycutt	MDOL	X		
Rachel Cone	MFBF	X		
Jasmine Krotke	MT Farmers Union	X		

Please leave prepared testimony with Committee Secretary. Witness Statement
Forms are available if you prefer to submit written testimony.

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chair Mike Lang-R, on March 28, 2023 at 3:13 PM, in 335

ROLL CALL

Members Present: Sen. Mike Lang, Chair (R)
Sen. Bruce Gillespie, Vice Chair (R)
Sen. Susan Webber, Vice Chair (D)
Sen. Dan Bartel (R)
Sen. Ellie Boldman (D)
Sen. Dennis Lenz (R)
Sen. Wendy McKamey (R)
Sen. Shane Morigeau (D)
Sen. Shannon O'Brien (D)
Sen. Daniel Salomon (R)
Sen. Jeffrey Welborn (R)

Staff Present: Grace Gibney, Secretary
Trevor Graff, Research Analyst
Devlin Kelly, Remote Meeting Coordinator

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

HB 738 03/15/2023
SR 64 03/22/2023

Executive Action:

HB 158
HB 159
HB 388
HB 418
SR 64 DO PASS
HB 767
HB 662 TO TABLE
HB 738

EXECUTIVE ACTION ON HB 158 - Revise custom exempt facilities as required by the Federal Meat Inspection Act

15:14:28 **Motion:** Vice Chair Bruce Gillespie moved that **HB 158 BE CONCURRED IN.**

12:47:26 **Vote:** Motion carried unanimously by voice vote.

15:14:28 **Carrier Assigned:** Sen. Wendy McKamey

EXECUTIVE ACTION ON HB 159 - Repeal Livestock Crimestoppers Act

15:15:58 **Motion:** Vice Chair Bruce Gillespie moved that **HB 159 BE CONCURRED IN.**

12:47:26 **Vote:** Motion carried unanimously by voice vote.

15:15:58 **Carrier Assigned:** Sen. Jeffrey Welborn

EXECUTIVE ACTION ON HB 388 - Increase penalty for uninspected livestock

15:17:55 **Motion:** Vice Chair Bruce Gillespie moved that **HB 388 BE CONCURRED IN.**

Discussion:

15:18:07 Vice Chair Bruce Gillespie

15:18:21 Sen. Wendy McKamey

12:47:26 **Vote:** Motion carried unanimously by voice vote.

15:17:55 **Carrier Assigned:** Sen. Dan Bartel

EXECUTIVE ACTION ON HB 418 - Revise limitations on irrigable acreage

15:19:07 **Motion:** Vice Chair Bruce Gillespie moved that **HB 418 BE CONCURRED IN.**

Discussion:

15:19:16 Sen. Jeffrey Welborn

15:20:12 Sen. Wendy McKamey

12:47:26 **Vote:** Motion carried unanimously by voice vote.

15:19:07 **Carrier Assigned:** Sen. Mike Lang

HEARING ON SR 64 - Confirm governor's appointees for board of livestock

Opening Statement:

15:27:12 Chair Mike Lang (R), SD 17, opened the hearing on SR 64, Confirm governor's appointees for board of livestock.

Proponent Testimony:

15:27:22 Lieutenant Governor Kristen Juras, Governor's Office
15:27:56 Nina Baucus, Governors Appointee
15:31:26 Lilian Andersen, Governors Appointee
15:32:25 William Kliensasser, Governors Appointee
15:33:41 Mike Honeycutt, Montana Board of Livestock
15:35:05 Kenny Reese, Montana Stockgrowers Association (MSA)
15:36:30 Nicole Rolf, Montana Farm Bureau Federation (MFBF)
15:37:46 Krista Evans, Montana Milk Producers Association (MMPA)
15:39:00 Eria Somerfeld, Montana Farmers Union (MFU)
15:39:48 Mike Talia, self
15:40:13 Cali Michaels, Montana Wool Growers Association (MWGA)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:31:03 Sen. Jeffrey Welborn
15:31:04 Nina Baucus, Governors Appointee
15:41:55 Sen. Shannon O'Brien
15:42:48 William Kleinsasser, Governors Appointee
15:45:12 Vice Chair Bruce Gillespie
15:46:25 William Kleinsasser, Governors Appointee

15:47:27 Vice Chair Susan Webber
15:47:55 William Kleinsasser, Governors Appointee
15:48:17 Sen. Wendy McKamey
15:51:30 Nina Baucus, Governors Appointee
15:54:58 Vice Chair Bruce Gillespie
15:56:19 Nina Baucus, Governors Appointee
15:56:43 Sen. Dan Bartel
15:57:40 Vice Chair Bruce Gillespie
15:57:51 Lillian Andersen, Governors Appointee

Closing Statement:

15:58:33 Chair Mike Lang (R), SD 17, closed the hearing on SR 64.

EXECUTIVE ACTION ON SR 64 - Confirm governor's appointees for board of livestock

16:01:12 **Motion:** Vice Chair Bruce Gillespie moved that **SR 64 DO PASS.**
12:47:26 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 767 - Provide board review of brands

16:04:36 **Motion:** Vice Chair Bruce Gillespie moved that **HB 767 BE CONCURRED IN.**
12:47:26 **Vote:** Motion carried unanimously by voice vote.
16:04:36 **Carrier Assigned:** Sen. Shannon O'Brien

EXECUTIVE ACTION ON HB 662 - Prohibit grazing on public land without permission

16:05:32 **Motion:** Vice Chair Bruce Gillespie moved that **HB 662 TO TABLE.**
12:47:26 **Vote:** Motion carried unanimously by voice vote.

HEARING ON HB 738 - Revise the Montana wheat & barley checkoff program

Opening Statement:

16:07:08 Rep. Ross Fitzgerald (R), HD 17, opened the hearing on HB 738, Revise the Montana wheat & barley checkoff program.

Proponent Testimony:

16:09:23 Nathan Kene, Montana Grain Growers Association (MGGA)

16:14:25 Eric Somerfeld, Montana Farmers Union (MFU)

16:15:13 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

Opponent Testimony:

None

Informational Witness Testimony:

16:16:11 Zack Coccoli, Montana Department of Agriculture

Questions from Committee:

16:16:53 Sen. Daniel Salomon

16:17:07 Zach Coccoli, Montana Department of Agriculture

16:17:58 Sen. Jeffrey Welborn

16:18:29 Zach Coccoli, Montana Department of Agriculture

16:18:43 Sen. Dan Bartel

16:20:19 Sen. Wendy McKamey

16:21:23 Nathan Kene, MGGA

16:23:06 Sen. Wendy McKamey

16:23:52 Zach Coccoli, Montana Department of Agriculture

16:24:27 Nathan Kene, MGGA

16:26:57 Sen. Wendy McKamey

16:27:24 Rep. Ross Fitzgerald-R

Closing Statement:

16:28:50 Rep. Ross Fitzgerald (R), HD 17, closed the hearing on HB 738.

EXECUTIVE ACTION ON HB 738 - Revise the Montana wheat & barley checkoff program

16:29:34 **Motion:** Sen. Jeffrey Welborn moved that **HB 738 BE CONCURRED IN.**

16:29:50 **Motion:** Sen. Wendy McKamey moved that **HB 738 BE AMENDED.**

Discussion:

16:30:06 Trevor Graff

12:47:26 **Vote:** Motion carried unanimously by voice vote.

16:31:20 **Motion:** Sen. Jeffrey Welborn moved that **HB 738 BE CONCURRED IN AS AMENDED.**

12:47:26 **Vote:** Motion carried unanimously by voice vote.

16:31:20 **Carrier Assigned:** Sen. Jeffrey Welborn

ADJOURNMENT

Adjournment: 16:33:31

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230328AGSaad\)](#)

Montana State Legislature

2023 Session

Additional Documents

- **Business Report.**
- **Roll Call -Attendance.**
- **Standing Committee Reports.**
- **Tabled Bills.**
- **Fiscal Reports [if any]**
- **Roll Call Votes.**
- **Proxies signed in ink.**
- **Visitor's sign-in sheet/log.**
- **Informational Items.**
- **Witness Statements [if any]**
- **Internet Testimony Information & index**
- **Any other type of documents, Petitions, {if any} Emails, all documents given to Committee Secretary before & after meeting.**
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225 N. Roberts, Helena, MT 59620-1201
E-Document Specialist Susie Hamilton

BUSINESS REPORT
MONTANA SENATE
REGULAR

(S) Agriculture, Livestock and Irrigation

Date: 03/28/2023

Time: 3:00 PM

Place: Capitol

Room: 335

BILLS and RESOLUTIONS HEARD:

HB 738 Revise the Montana wheat & barley checkoff program - Rep. Ross Fitzgerald

SR 64 Confirm governor's appointees for board of livestock - Sen. Mike Lang

EXECUTIVE ACTION TAKEN:

HB 158 Be Concurred In

HB 159 Be Concurred In

HB 388 Be Concurred In

HB 418 Be Concurred In

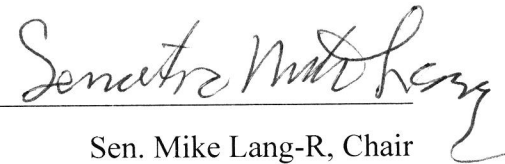
HB 662 To Table

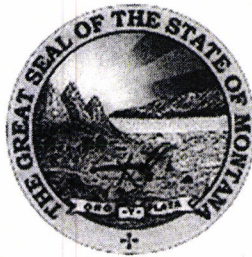
HB 738 Be Concurred In as Amended

HB 767 Be Concurred In

SR 64 Do Pass

Comments:


Sen. Mike Lang-R, Chair



Senate Standing Committee Report

March 28, 2023

page 1 of 1

To the President,

We, your committee on (S) **Agriculture, Livestock and Irrigation** report that **House Bill 738** (first reading copy – white) **Be Concurred In as Amended**. The referenced amendment is HB0738.001.001.

Carrier: Sen. Welborn

Signed: _____

A handwritten signature in dark ink, appearing to read "Senator Mike Lang", is written over a horizontal line.

Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0

**Amendment - 1st Reading/2nd House-blue - Requested by: Ross Fitzgerald - (S) Agriculture,
Livestock and Irrigation**

- 2023

68th Legislature 2023

Drafter: Trevor Graff, 406-444-4975

HB0738.001.001

HOUSE BILL NO. 738

INTRODUCED BY R. FITZGERALD

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA WHEAT AND BARLEY CHECKOFF
PROGRAM; EXEMPTING THE WHEAT AND BARLEY COMMITTEE FROM STATE PROCUREMENT
REQUIREMENTS AND CERTAIN STATE EMPLOYEE PAY PROVISIONS; PROVIDING RULEMAKING
AUTHORITY; AMENDING SECTION 2-18-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Committee procurement -- rulemaking.** (1) The wheat and barley
committee is not subject to procurement procedures under Title 18, chapter 4.

(2) The committee shall adopt rules for procurement of goods and services necessary to the duties
outlined in this part.

Section 2. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 through 3 and 10 do not apply to the following
officers and employees in state government:

- (1) elected officials;
- (2) county assessors and their chief deputies;
- (3) employees of the office of consumer counsel;
- (4) judges and employees of the judicial branch;
- (5) members of boards and commissions appointed by the governor, the legislature, or other
elected state officials;
- (6) officers or members of the militia;
- (7) agency heads appointed by the governor;
- (8) academic and professional administrative personnel with individual contracts under the

Amendment - 1st Reading/2nd House-blue - Requested by: Ross Fitzgerald - (S) Agriculture, Livestock and Irrigation

- 2023

68th Legislature 2023

Drafter: Trevor Graff, 406-444-4975

HB0738.001.001

1 authority of the board of regents of higher education;

2 (9) academic and professional administrative personnel and live-in houseparents who have
3 entered into individual contracts with the state school for the deaf and blind under the authority of the state
4 board of public education;

5 (10) investment officer, assistant investment officer, executive director, and eight professional staff
6 positions of the board of investments;

7 (11) four professional staff positions under the board of oil and gas conservation;

8 (12) director of the Montana state lottery and assistant director for security of the Montana state
9 lottery;

10 (13) executive director and employees of the state compensation insurance fund;

11 (14) state racing stewards employed by the executive secretary of the Montana board of
12 horseracing;

13 (15) executive director ~~of~~ and employees assigned to the Montana wheat and barley committee;

14 (16) commissioner of banking and financial institutions;

15 (17) training coordinator for county attorneys;

16 (18) employees of an entity of the legislative branch consolidated, as provided in 5-2-504;

17 (19) chief information officer in the department of administration;

18 (20) chief business development officer and six professional staff positions in the office of economic
19 development provided for in 2-15-218; and

20 (21) the director of the office of state public defender provided for in 2-15-1029."

21
22 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
23 integral part of Title 80, chapter 11, part 2, and the provisions of Title 80, chapter 11, part 2, apply to [section 1].
24

25 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.

26 - END -



**CORRECTED COPY—BE
ADOPTED**

Senate Standing Committee Report

March 28, 2023

page 1 of 1

To the President,

We, your committee on (S) **Agriculture, Livestock and Irrigation** report that **Senate Resolution 64** (first reading copy – white) **Be Adopted.**

Signed: _____

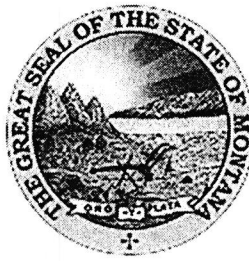
A handwritten signature in black ink, appearing to read "Sen. Mike Lang-R", written over a horizontal line.

Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0



Senate Standing Committee Report

March 28, 2023

page 1 of 1

To the President,

We, your committee on (S) **Agriculture, Livestock and Irrigation** report that **Senate Resolution 64** (first reading copy – white) **Do Pass.**

Signed: _____

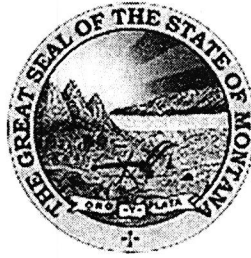
Senator Mike Lang

Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0



Senate Standing Committee Report

March 28, 2023

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To the President,

We, your committee on (S) **Agriculture, Livestock and Irrigation** report that **House Bill 767** (first reading copy – white) **Be Concurred In.**

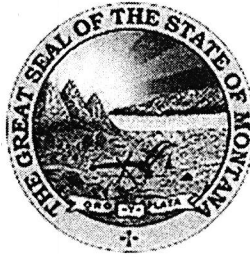
Carrier: Sen. O'Brien

Signed: 
Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0



Senate Standing Committee Report

March 28, 2023

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To the President,

We, your committee on (S) Agriculture, Livestock and Irrigation report that **House Bill 418**
(first reading copy – white) **Be Concurred In.**

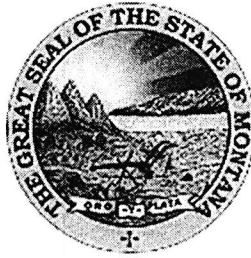
Carrier: Sen. Lang

Signed: Senator Mike Lang
Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0



Senate Standing Committee Report

March 28, 2023

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To the President,

We, your committee on (S) Agriculture, Livestock and Irrigation report that House Bill 388 (first reading copy – white) **Be Concurred In.**

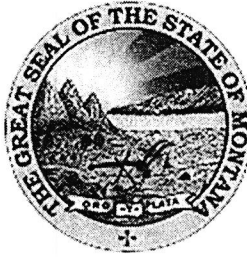
Carrier: Sen. Bartel

Signed: Senator Mike Lang
Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0



Senate Standing Committee Report

March 28, 2023

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To the President,

We, your committee on (S) **Agriculture, Livestock and Irrigation** report that **House Bill 159** (first reading copy – white) **Be Concurred In.**

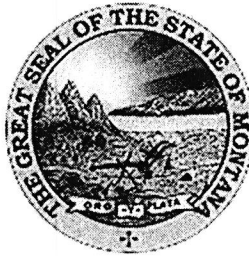
Carrier: Sen. Welborn

Signed: Senator Mike Lang
Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0



Senate Standing Committee Report

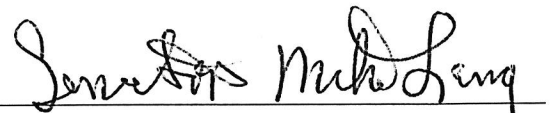
March 28, 2023

page 1 of 1

To the President,

We, your committee on (S) Agriculture, Livestock and Irrigation report that **House Bill 158** (first reading copy – white) **Be Concurred In.**

Carrier: Sen. McKamey

Signed: 
Sen. Mike Lang-R, Chair

-End-

Committee Vote:

Yes 11, No 0

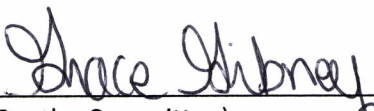
BILL TABLED NOTICE

Senate (S) Agriculture, Livestock and Irrigation

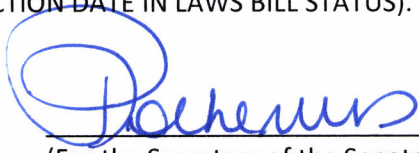
The Senate (S) Agriculture, Livestock and Irrigation TABLED

HB662-Prohibit grazing on public land without permission- Rep. Fred Anderson

by motion, on Tuesday March 28, 2023, (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Secretary of the Senate)
7:20am / 3/29

(time) (date)

SENATE PROXY

I, Senator Morigeau, hereby authorize Senator WEBBER to vote my proxy before the Senate AG meeting held on 3/28/2023, 2023.

Senator Signature

3/28/2023
Date

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator Boldman, hereby authorize Senator WEBBER to vote my proxy before the Senate meeting held on _____, 2023.

Ellie Boldman
Senator Signature

3-28-2023
Date

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator Shannon O'Brien, hereby authorize Senator Walter to vote my proxy before the Senate

meeting held on _____, 2023.

Senator Signature

Dáte

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator Mark Dang, hereby authorize Senator Dan Bartel to vote my proxy before the Senate meeting held on _____, 2023.

Senator Signature

Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator Dennis Lenz, hereby authorize Senator _____ to vote my proxy before the Senate _____ meeting held on _____, 2023.

Senator Signature

Date _____

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

5th Dec 1883

VISITORS REGISTER

MONTANA SENATE AGRICULTURE COMMITTEE

Date: 3.28.23 Bill No: ~~H~~ SR64
 Sponsor: Senator Lang
 (Insert Short Title)

Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
Kristen Juras	Gov Office	X		
Mike Hanger	MDOL	X		
Nicole Rolf	MFBF	X		
Keni Reese	MSGA	X		
Mike TALIA	LEHRERLEUTHBLLC	X		
Kina Baucus	BOL	X		
William Kleinsasser III	BOL	X		
Lillian Andersen	BOL	X		
Kristen Le Evans	MT Milk Producers	X		
FRANK SOMERFELD	MFd	X		

Please leave prepared testimony with Committee Secretary. Witness Statement
 Forms are available if you prefer to submit written testimony.

VISITORS REGISTER

MONTANA SENATE AGRICULTURE COMMITTEE

Date: 3-28-23 Bill No: HB 738
 Sponsor: Rep. Fitzgerald
(Insert Short Title)

Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
Nathaniel Kearns	MGEA	X		
Nicole Rolf	MFBF	X		
ERIK SOMERFELD	MFU	X		

*Please leave prepared testimony with Committee Secretary. Witness Statement
 Forms are available if you prefer to submit written testimony.*